

REMARKS

The Examiner is thanked for the recent telephone interview and a willingness to consider expanded subject matter in a continuing application.

Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

Claims 15-17 were pending in the subject application. Claim 16 is independent and claims 15 and 17 depended therefrom. Claim 15 is now cancelled without prejudice to pursue in a future related application, and claim 16 is amended to recite BDNF as the neurotrophin. Support for the amendment to claim 16 is found, in part, in claim 15 which depended from claim 16. No new subject matter has been added by the amendment. Claims 16-17 as amended are now pending in the subject application.

In the Office Action dated January 26, 2009, claims 14, 15 and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Gwag et al. (PCT Application Publication No. WO 01/79153) and Perez-Navarro et al. (J. Neurochem. 75:2190-2199, 2000). Claim 16 was not subjected to this rejection. Claims 15 and 17 were rejected as depending from rejected claim 14.

Applicants respectfully disagree with this rejection of claims 14, 15 and 17. Claims 14 and 15 have been cancelled and claim 17 depends from independent claim 16. Accordingly, the rejection under Section 103(a) has been rendered moot.

Therefore, it is believed that the rejection of claims 14, 15 and 17 under 35 U.S.C. § 103(a) has been eliminated. Reconsideration and withdrawal of this rejection are respectfully requested.

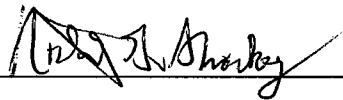
In the Office Action, claims 14-17 were objected to for failure to claim the elected invention of BDNF. Claims 14-15 have been cancelled. Claim 16 has been amended to recite, in part, BDNF. Claim 17 depends from claim 16. Reconsideration and withdrawal of this objection are respectfully requested.

Therefore, in light of the amendments and remarks set forth above, Applicants believe that all the Examiner's rejections have been overcome. Reconsideration and allowance of the now pending claims (16-17) are respectfully requested. If there is any further matter requiring attention prior to allowance of the subject application, the Examiner is respectfully requested to contact the undersigned attorney (at 206-622-4900) to resolve the matter.

Applicants believe this Supplemental Reply and Amendment has been timely filed and therefore no fees are due; however, the Director is authorized to charge any additional fees due to our Deposit Account No. 19-1090.

Respectfully submitted,

Seed Intellectual Property Law Group PLLC

A handwritten signature in black ink, appearing to read "Richard G. Sharkey", is written over a horizontal line.

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